

REMARKS

Claims 1-27 remain in this application. Claims 1-19 and 21-25 have been amended. Claims 26-27 have been added. No claims have been cancelled. The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

Claims Objections

(1) The Examiner has objected to claim 12 because there is a word missing (i.e. "to"), between "object" and "determine", in the last 3 lines of the claim.

Applicant submits herein amendments to claim 12 and request that the objection be withdrawn.

(2) The Examiner has objected to claim 14 because the wording of the claim allegedly makes the claim unclear.

Applicant submits herein amendments to claim 14 and request that the objection be withdrawn.

(3) The Examiner has objected to claim 15 because the word "wherein" in the first line was mistakenly repeated.

Applicant submits herein amendments to claim 15 and request that the objection be withdrawn.

(4) The Examiner has objected to claim 19 because the wording of the claim allegedly makes the claim unclear.

Applicant submits herein amendments to claim 19 and request that the objection be withdrawn.

(5) The Examiner has objected to claim 21 because the wording of the claim is allegedly inconsistent with independent claim 18.

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Applicant submits herein amendments to claim 21 and request that the objection be withdrawn.

35 U.S.C. §112 Rejection

The Examiner has rejected claim 5 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention.

Applicant submits herein amendments to claim 5 and request that the rejection be withdrawn.

35 U.S.C. §102(b) Rejection - Pagé

The Examiner has rejected claims 1-25 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,329,619 issued to Pagé et al. (hereinafter referred to as "Pagé"). The Applicants respectfully submit that the present claims are allowable over Pagé.

As amended, claim 1 recites a method comprising "*receiving a request for a service transaction involving a plurality of service providers at a network transaction portal; controlling the transaction from the network transaction portal by remotely executing methods associated with the transaction including routing to a plurality of distributed networked objects containing methods associated with the transaction via at least one link through a common network application functionally interposed between a client network access device and the plurality of networked objects that controls the transaction*". Pagé does not teach or suggest either: (a) a network transaction portal or (b) controlling a transaction from a network transaction portal.

Pagé discusses a cooperative processing interface and communication broker for heterogeneous computing environments (see e.g., Title). As further discussed in the Abstract, Pagé discusses an object interface that supports three modes of inter-object communication--

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message processing (store and forward), conversational communication, and remote procedure call. A service broker manages service requests from, and responsive services provided by, a plurality of clients and servers, respectively, which may reside on different hardware platforms and operating systems and may be connected to computer networks having different network architectures and associated communications protocols. The broker manages the service offerings from servers and service requests from clients, and clients and servers communicate and exchange information with one another via the broker. The service broker includes different application programming interfaces for allowing participants to access the functionality of the service broker.

Accordingly, Page allegedly discusses modes of inter-object communication, managing service requests from clients and responsive services provided by servers, and that clients and servers may communicate and exchange information with one another via the broker. However, as understood by Applicant, Page does not teach or suggest a network transaction portal, let alone controlling a transaction from a network transaction portal.

Anticipation under 35 U.S.C. Section 102 requires every element of the claimed invention be identically shown in a single prior art reference. The Federal Circuit has indicated that the standard for measuring lack of novelty by anticipation is **strict identity** (emphasis added). *"For a prior art reference to anticipate in terms of 35 U.S.C. Section 102, every element of the claimed invention must be identically shown in a single reference."* In Re Bond, 910 F.2d 831, 15 USPQ.2d 1566 (Fed. Cir. 1990).

For at least these reasons, **claim 1** is believed to be allowable over Page. **Claims 2-6 and 26-27** depend from claim 1 and are believed to be allowable therefor, as well as for the recitations independently set forth therein.

Independent claims 7, 11, 18, and 24 each recite at least a network transaction portal. Accordingly, these independent claims, as well as their dependent claims, are also believed to be allowable for reasons similar to those discussed above.

Conclusion

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicant respectfully requests that the rejections be withdrawn and the claims be allowed at the earliest possible date.

Request For Telephone Interview

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

Request For An Extension Of Time

The Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a). Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

Charge Our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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